

No. _____

IN THE
SUPREME COURT OF THE UNITED STATES

Margaret Morris-Calderon — PETITIONER
(Your Name)

vs.

The James Randi Educational — RESPONDENT(S)
Foundation, Founder: James Randi (Chief Executor) et al.

ON PETITION FOR A WRIT OF CERTIORARI TO

California Supreme Court/2nd District of Appealant
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Proper: Ms. Margaret Morris-Calderon
(Your Name)

P.O. Box 393
(Address)

Huntsville, AR 72740
(City, State, Zip Code)

(479) 877-9966
(Phone Number)

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

☐ For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

☐ reported at _____; or,
☐ has been designated for publication but is not yet reported; or,
☐ is unpublished.

☒ For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix _____ to the petition and is

☒ reported at California Supreme Court; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

The opinion of the State Court, Superior Court (Stanly Mosk) court appears at Appendix _____ to the petition and is

☒ reported at CA 2nd District Court of Appealant; or,
☐ has been designated for publication but is not yet reported; or,
☒ is unpublished.

JURISDICTION

☐ For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

☐ No petition for rehearing was timely filed in my case.

☐ A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

☒ For cases from **state courts**:

The date on which the highest state court decided my case was April 15, 2020. A copy of that decision appears at Appendix _____.

☒ A timely petition for rehearing was thereafter denied on the following date: Jan 22, 2020, Appeal Court and a copy of the order denying rehearing appears at Appendix _____.

☐ An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ____ A ____.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

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AUTHORITIES

Harman v. Cabaniss, 207 Cal.60 (276P.569)

Stevens v. Superior Court, 7Cal.2d 110 (59P.2d988)

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Mathews v. Eldrige, 424 U.S. 319, 344 (1976)

Baldwin v. Hote, 68U.S. (1wall.)223,233(1863)

Goldberg v. Kelly, 397 U.S.254,267-68(1970)

Grannis v. Ordean (1914) 234U.S.385.35.S.Ct779.58L.Ed.1363(234U.S.385)

Franklin Mint Co., Supra,184 Cal.App.4th atp.346

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Roberts v. Sentry Life Insurance(1999) 76 Cal.4th 375,383(90Cal.Roter.2d408)

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Procedural Due Process Civil

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Title 28 U.S. Code § 2202, 28 U.S. Code Chapter 49.

Title 28 U.S. Code Title 28, U.S. Code 601, 28 U.S. Code 604 (a)(1)(2)

Title 29 U.S. Code 607, 28 U.S. 47, 45 § 671, § 677.

CALIFORNIA COURT RULES

CRC Rule: 8.137

CRC Rule: 8.137(1)(2)(A)(B)

Clerk Trial Court Rule 2.20(a)

Fed Rule 79 Record Kept by the Clerk (a)(1)(2)(B)

Rule 3.22

Rule: 3.1354(a)

Rule: 8.115(a)

Rule 3.1320(f)

Rule 3.1320(a)(d)(f)

U.S.

1622, 14th Amendment, 1st Amendment

Rule 55. Default Judgment (a)(b)(1)(2)

CIVIL CODES

(c.c. 1614) Written instrument presumptive evidence of consideration. (CIV3300) For the Breach of an obligation arising from contract, the measure of damages. (CIV1439) Performance, etc. of conditions, when essential. Before any party to an obligation can require another party to perform any act under it, he must fulfill all conditions precedent thereto impose upon himself; and must be able and offer to fulfill all conditions concurrent so imposed upon him on the like fulfillment by the other party, except as provided by the next section. (CIV-3287(a)(b) A person who is entitled to recover damages certain, or capable of being made certain by calculation, and the right to recover which is vested in the person upon a particular day, is entitled also to recover interest thereon from that day, except when the debtor is prevented by law. (d) Every person who is entitled under any judgment to receive damages based upon cause of action in contract where the claim was unliquidated, may also recover interest thereon from a date prior to the entry of judgment as the court may, in its discretion fix, but in no event earlier than the date the action was filed.

(CIV-3392) Specific performance cannot be enforced in favor of a party who has not fully and fairly performed all the conditions precedent his part to the obligation of the other party, except when his failure to perform is only partial, and either entirely immaterial, or capable of being fully compensated, in which case specific performance may be compelled, upon full compensation being made for the default.

Business and Professions, Code Civ-CIV-3388, A party who has signed a written contract may be compelled specifically to perform it, though the other party has not signed it, if the latter has performed, or offers to perform it on his/her part, and the case is otherwise proper for enforcing specific performance. (CIV-3389) A contract otherwise proper to be specifically enforced, may be thus enforced, through a penalty is imposed, or the damages are liquidated for its breach, and the party in default is willing to pay the same. (CIV-3390(e) An agreement, the terms of which are not sufficiently certain to make the precise act which is to be done clearly ascertainable. (CIV-3391)(1) If he/she has not received an adequate consideration for the contract (3) If his/her assent was obtained by the misrepresentation, concealment, circumvention, or unfair practices of any party to whom performance would become due under the contract, or by any party to whom performance would become due under the contract, or by any promise of such party which has not been substantially fulfilled. (CIV-3390(a) An obligation to render service. Breach, failed to act as promised, even if they did not read the contract. Is a failure to perform. (CIV-3302) The detriment caused by breach of an obligation to

Ms. Margaret Morris-Caldron

⑧

pay money only is deemed to the amount due by the terms of the obligations, with interest thereon.

U. S. Rule 55. Default Judgment (a)(b)(1)(2).

Appellant's Clerk's Transcript's Vol 1-3, & Court Transcript was mailed late from Stanley Mosk
Courthouse App Unit. Delivered to Appellant on Sep 30, 2019. To an Out of State Address, AR.
Volume 1, p.1, Parties- Lueke Stephen R ESQ. Doesn't Represent anyone in case NO: BC684574. Defendant Attorney is
Johnatha Martin, P.O.3, Date: ^{April} 4/23/2018, ID Name: RANDI, JAMES, founder filed. Is fraudulent Clerk Kentrey
on or around July 2018. Head Clerk Mrs. Janurary refused to correct to Attorney for JREF Martin entry. Attachment
of Good Cause. Images of State Court Stanley Mosk website Records filed history.
The Appellant's Court Transcript Request 4(c) Attachment is Request of Defendant Attorney; Martin
Motions filed March 22, 2018. We met in cluded by State Court App. Unit Clerk to 2nd District of
Appeal. I called them 9/30/19.

STATEMENT OF APPEALABILITY

This ~~Review~~ is from the judgment of the Los Angeles County Superior Court, Stanley Mosk and is authorized by the Code of Civil Procedure, section 904.1, subdivision (a)(1).

STATEMENT OF FACTS

Identifying parties, Appellant: Margaret Morris-Calderon Pro Se. Respondent: The James Randi Educational Foundation (JREF), Attorney: Jonathan Martin. Founder: James Randi has no Attorney. And has been completely Noncompliant to Case No: BC684574. The Agent of Service: Stefan H. Black, isn't a named defendant anywhere in civil complaint. And has no Attorney. He fraudulently entered a Motion to Demurrer and Dismiss March 13, 2018, and entered an Attorney: Stephan Lueke, who doesn't represent anyone. Judge Linfield, Dep.34, 3/13/18 Case Management Meeting. Stefan Black appeared on his own behalf. He was told by judge he isn't a named party of sue. And to not file his Motion. He did anyway, 133 pages. No defendants appeared. I was told to file Default by the Judge. Then 3/22/18, for Hearing Date: May 2, 2018, 41 days after Proof of Summons Served. Attorney Martin filed a Motion to Demurrer & Dismiss of 4 pages. No request for extension of time has ever been given by Defendant. And Defendant was Noncompliant to their own Motion 5/2/18. No request for extended time was filed. The Appellant Filed Default May 7, 2018 with attachments of 37 pages total (ACT p.292-328)

Hearing Date was rescheduled by Judge Linfield own opinion, May 8, 2018. The majority of the hearing proceedings came from what Agent of Service filed of false accusations in his Motion. And really has no Jurisdiction by law. The Appellant was being forced to explain what was being hidden by Mr. Black, and clear the lying statements. Mr. Martin primary entry was based on a false accusation of three cases to of been filed, opened, and served, against the same party. Appellant replied three times to Judge Linfield on the matter of District Court Case, April 10, 2017 (17-CV-02842) never was opened or served. The Appellant never meant this case to be a separate complaint as an addition. The complaint was given the same case number as what was under scrutiny to Amend after meeting date Oct 24, 2016. The Appellant gave that complaint in District Court Case No: LA CV 16-04270, then court clerk crossed it out. And added in their own case number 17-CV-0284. And didn't notify the Plaintiff until more than two week. The Plaintiff was trying to rectify an Amendment that was requested of her without ever being sent a copy of the meeting minutes by the defendants. I thought I could make a new cover sheet for civil complaint BC601443 Amended#1, that they moved as a personal complaint to Federal Court LACV 16-04270. There wasn't any legal descriptions s in either. I attached it as a cover. It was

never intended to be a separate case. And it was never opened or served. Only two are, BC601443, and BC684574 in Stanley Mosk Courthouse.

What Agent of Service Stefan Black entered in his Motion of False Accusation of Dismissal in the Ninth Circuit Court of Appeal (17-55814) isn't telling of the cause to dismiss. The cause was based on Docket #2 of the plaintiff Forma by Pauperis pages not all being filed there, by clerk error. The District Court separated my Application for Forma by Pauperis into two separate Docket # 61 & 64. The 9th Court of Appeal was missing pages. The signature page was separated. Notice of Frivolous in Docket #2, was given in Docket #11. Docket #12 was my request to explain the error for me to correct. No response from Court. I entered a Motion of Reconsideration of corrections needed by clerks. My mail was being held USPS# 7009282000028785442, held 12/07/2017 CA 94119, until 12/13/17 when it posted. RT p. 15 Judge Linfield is still going on about me filing a second case in District Court, the same one I had told him was never opened or served is the one I gave the same case number already filed, I never intended to make a separate case. Then again in RT p. 16 #13, 19-20. (21) Dismissed my complaint filed April 10, 2017 (17-CV-02842 DSF) wasn't with prejudice. It was because I thought my filing fee waiver granted Aug 22, 2016 would cover it. I had given it the same case number before the clerk changed it. There were no funds to cover it. It was (2:16-CV-04270-JAK-RAO) matching my Fee waiver, originally.

RT p. 18 is oral evidence of Defendant of noncompliant. There has never been any objections to the fact of noncompliance by the defendants. And evidence the Defendants were served summons. Because the Agent of Service appeared in case management meeting after the service of summons. The Defendants never responded to 30 day Service of Summons. RT p. 19 (1) is false statement by Judge Linfield. There is no oral about my case 3/13/18 outside of Stefan Black issues of his miss representation of himself. Judge told him he's not a party of sue. And the Contract in Breach is dated July 13, 2013 with evidence of 4 consecutive years of Afterlife communication on history AT&T sheets. JREF Surrender date was in 2015, CCP 2114(a)(b) Agent of Service is Stefan Black. Clerk Errors on 3/13/18 minute order in Case management meeting. Notice to Correct Clerical Errors filed April 17, 2018 (ACT p. 277). Attachments of Facts and Findings to Civil Complaint filed April 5, 2018 (ACT p.223 legal descriptions in support of Breach of Contract. Appeal Clerk in State Court errored of entry in records entered into 2nd District of Appeal is (ACT p.70-73) were never filed. Plaintiff Response to court tentative ruling filed Jun 5 2018 (ACT p.391-430). Default filed May 7, 2018 a day before Hearing rescheduled on May 8, 2018 (ACT p.292-328, 37 pages) Credible witness filed April 19, 2018 (ACT p.286) Civil Complaint with Exhibits attachments of Contract (JREF) evidence of Afterlife, Post Card from JREF to Appellant home address, death certificate of my mother, her last billing of landline Dec 2006, my first cellphone and number Feb 2007 all filed in Nov 27, 2017 (ACT p.08-069) Proof of Summons Served filed Feb 23, 2018 (ACT p.74-77).

Judge Linfield Analysis in Appellant's Response

Facts are presented and filed in court to sustain Appellant's Request of Granting Default, and Credible Witness, with 4 consecutive years of evidence attached to Civil Complaint BC684574, Nov 27, 2016. These false statements made by the Agent of Service Motion are fraudulent entry 3/13/18. And by JREF Attorney: Martin 3/22/2018 of District Court Case to be three cases opened and served is a lie. No evidence what so ever on that. And the cover sheet of 17-CV-02842 DSF proves the Appellant intended it to correct clerical error on State Case No; BC601443, moved as a personal case to District Court by James Randi & Stefan H. Black Jun 15, 2016, to Changed ID to 2: 16-cv-04270-JAK-RAO. Is seen on the cover of District Court Case Appellant filed April 10, 2017, intended to be a new cover. There was never any intentions of it being a second case. That's only an accusation of false by Defendant and judge Linfield. The cover is evidence. I have included a copy from Defendant motion to Demurrer and Dismiss. With a copy of District Court Judge ~~Linfield~~ ^{Kronstadt} CIVIL MINUTES-GENERAL, Case No: LA CV 16-04270 JAK-RAO, Date: Feb 14, 2017, p. 13-14 Leave to Amend. Last paragraph (However, as noted above, there is a complete absence of facts alleged in Complaint that provide any bases for a claim against either the current or intended parties under Cal. Pub. Con. Code 10285.1. Therefore, dismissal with prejudice as to all such claims is appropriate.

There wasn't any legal description Case No: BC601334, moved as a personal Case. See (ACT p. 241-243) DECLARATION filed Apr 5, 2018. State Court case No; BC601334 isn't the same as Case No; BC684574. Only one prior case was ever opened and served, only 2 cases were opened and served. Frist to James Randi & Stefan H. Black Amended#1. I could of corrected any Amendment needed to ID party of sue, in Case Management Meeting July 13, 2016 if they didn't move it to District Court June 15, 2016.

There are no laws to use to sustain previous case to being the same cause of actions (Boeken v. Philip Morris USA, inc (2010) 48 Cal. 4th 788, 792-793) of res judicata is based on forming judgment in subsequent litigation involving the same controversy. Which simply aren't here. There is absolutely nothing to sustain that previous action in proceeding in legal text ever taken place in past case.

The Three Factors are not present. (1) The two Civil Claims are not identical to prior proceedings. (2) Prior proceeding were to Leave to Amend made on Oct 27, 2016. The Dismissal was ultimately made of Plaintiff failure to Amend to #2. These two not being the same can be sustain the 3. To sustain a dismissal and a the #3) Party being the same on complaint to sue are not the same. Amended #1 filed Mach 18, 2016 is James Randi & Stefan H. is the only other opened, served to Agent. Stefan Black hid The Parties Attachment to Summons to move from State Court to district Court. That's why Complaint BC684574 says on the cover Stefan Black is the Agent in Attachment. To prevent him from doing that again. There are true facts distinct difference. And to where Case BC684574 has actual supporting laws entered in support of Breach of Contract. There had been nothing more than false accusations brought against the Appellant in Demurrer to Dismiss by Defendant and the Judge relied on opinions alone, without

evidence. Thoughts that came to his mind were used against the Appellant. (Idea's) were made to Dismiss the Appellant's Complaint.

An example to put accusations of thought as cause to Dismiss as to not have legal grounds to sustain. Is simply, If a person standing on the city sidewalk thinks about crossing the street outside of designated pedestrian crossing. That person hasn't actually crossed the street to J walk. The violation didn't actually take place it was only a thought. But if that person steps off the curb and continued with his/her thought to cross. Then there was actually actions of violation city code.

There hasn't been anything more than ideas and thoughts of miss representations to what actually took place. Plaintiff has evidence to sustain the true actions taken place. The Defendant has never presented any Summons Served other than Case No; BC601334 & BC684574, 2, NOT 3.

1. The defendants The James Randi Educational Foundation And James Randi-Founder never made any response in 30 days of Proof of Summons Served Feb 10, 2018)ACT p. 412. The Defendant for JREF, NOT James Randi (has no Attorney) Attorney: Martin Responded with his Demurrer & Dismiss May 22, 2018, 41 days after service of Summons. The Defendant has no jurisdiction to Demurrer or Dismiss. And the defendant didn't show up for their own Hearing Date: May 2, 2018. The Defendant has no authority over Plaintiff Notice of Default filed May 7, 2018. The Hearing was rescheduled to May 8, 2018 to Demurrer. **March 21, 2018 (2) Defaults.**
2. The evidence of Proof of Summons Served on USPS history of delivery (ACT p. 412) Shows delivery Feb 10, 2018. Additional evidence of Proof of Service is the apperance of Agent of Service at Case Management Meeting 3/13/18. No one else appeared on defendants behalf. Plaintiff was there. Noncompliant of Defendants.
3. (ACT p. 223- Attachment of facts and Findings to Civil Complaint in Support with CA Civil code-CIV3300,Written Contract 2013(c.c.1614)(c.c.1439)(c.c.3287)(a) and Civil Code 3392, Business and Professions Code Civil-CIV-3388,c.c.3389, c.c.3390€. c.c.3391(1). (Stanley Mosk Clerk should put this document in (ACT p.70) Case No: BC684574 actually has legal description in support of Plaintiff Claim of Action in Contract-Breach. Where past Case No: BC601334 didn't have any legal text descriptions. These legal descriptions are seen in Declaration (ACT p. 304) is hidden from ID Description-In support of Plaintiff Complaint Contract filed 4/5/18. Legal descriptions Attached to Request for Enter of Default (ACT p. 292) And in (ACT p. 245) Plaintiff Objections to Defendant Motion p.2 CA Statue of limitations-Civil Code c.c.337 Contract written 4 years, p.4 #20-28.(ACT p. 252-255, Vol 2- In Plaintiff Objection #1. And in (ACT p. 391-430 Plaintiff Response in Court Rule 3.1312, to Defendant Attorney: Martin (JREF only) in reference response to Proposed Judgment dated 5/3/18 by Judge Linfield Dep. 34. P.2#18. There was no legal codes entered in prior case amended#1, 3/18/18.

4. Agent of Service- Stefan H. Black entered his fraudulent Motion to Demurer & Dismiss Plaintiff Civil Complaint right after Judge Linfield told him not, at the Case Management Meeting 3/13/18, 8:30am. (ACTp. 289) Evidence of this is on his receipt 3/13/2018, 9:01am, \$435.00 (ACTp.087). I had called to clerk Paul So to let him know Judge Linfield told the Clerks to not allow Stefan Black's Motion to post, leaving him a message. Three days later it was posted. I notified clerks again. No one was doing anything about it. I called the Administration Office, to tell them Mr. Black's Motion wasn't supposed to post. Still no one would call me back, or correct the issue. After several weeks of telling Court Clerks and no one was doing anything about it. I called Dep. 34, Judge Lindfield. And told them what was going on. The clerk told me because Stefan Black paid for his Motion there wasn't anything anyone could do.

On May 3, 2018 the day after Hearing Date, of Defendant not appearing. JREF Attorney: Martin appeared on 3/3/2018. (ACTp. 290) Judge Lindfield had posted a Pulmonary Itinerary he guided me on courthouse website to find, to read for my first time. Then the Judge asked if I could read his 9 pages to answer in fifteen minutes? I was totally surprised to see the majority of what was in it, was from the Agent of Service-Stefan Black Motion he'd filed. And I knew the Judge had just told him not to. I was stunned. There were docket numbers I had to look up to address the false accusations of miss leading statements I needed to address. I knew something was terribly wrong with these proceedings. I wasn't going to have a fair Demurrer to answer to. I did my home work for the rescheduled of Hearing Date May 8, 2018. And filed my Entry of Default.

There has to be somewhere when the Courthouse Administration and the Executive head Clerk take control of the Courthouse Rules, and responsibility in Court Reservation System (CRS) to protect the American Citizens from Fraudulently allowing people from entering Motions into cases filed in Stanley Mosk Courthouse. People can't just jump into a case and enter Motions and other (CRS) tools just because they have money. People who aren't named parties as Attorneys, and party of sue. That's an Obstruction to Justice. I wasn't given a fair chance in the defendant Demurrer. A Court ~~Subpoen~~ is needed to hear the oral in Case Management Meeting 3/13/2018, Dep. 34, Judge: Linfield, 8:30am. Stefan Black entered his Motion with a concise of knowing it was wrong. He deliberately abused the Court System.

U.S. Title 28, Code § 601, 604(a) (1) (2)

U.S. Title 28, Chapter 41, 602, 606

U.S. 28 Code Title 28

U.S. Rule 55. Default Judgment (a) (b) (1) (2).

In Case Management Meeting for Case No: BC684574, March 13, 2018, Dep. 34, Judge: Linfield told Stefan H. Black there isn't anywhere naming him a party of sue. That he is only the Defendants Agent of Service named for The James Randi Educational Foundation. Stefan H. Black was the last active Agent of Service for The James Randi Educational foundation, up to surrender date in 2015. The time of Breach Contract was entered in July 2013. Stefan H. Black was the Agent in Service surrender date 2015. By Civil 2011 California Code, Corporation Code Sec 2114(a)(b). Judge Linfield told Stefan H. Black to not file his Motion in the Case Management Meeting, March 13, 2018, It hadn't posted, no one could see it. Stefan H. Black made no attempt to remove his Motion, or the Attorney he'd entered into my case Stephan R. Lueke as his representing Attorney on false pretenses. To make an Appearance of the past case in 2015 Case No: BC601443 Amended #1, March 18, 2016 to look like the second and only other case ever opened and filed by me against The James Randi Educational Foundation Case No: BC684574. He wanted the two cases to appear as much as the same as he could fraudulently misrepresent. Stefan H. Black enacted with to deceive the courts and judges who would be examining at my case.

Stefan H. Black false Motion is evidence of him knowing he isn't named anywhere on complaint BC684574 to be any named defendant. He puts that in writing. Yet he continued to carry on making misrepresentations and misleading statements in reckless actions against the Plaintiff to Dismiss and Demur her case. His intent was to create the two only opened and served cases on the defendant to be the exact same, in which there not. He wouldn't of had to go to so much extent if they were the same. He would have had to play dumb like he doesn't know what's going on to do it. He wouldn't of had to hide the fact he knew he's the Agent of Service.

The Attorney Jonathan Martin for JREF followed Stefan H. Black's lead. All information that Stefan H. Black submitted in his Motion became the issues to dismiss my case. Stefan H. Black Motion in Case No: BC684574, CRS #180312296834, Date for Hearing May 17, 2018 was never heard. And Judge Linfield told Mr. Black to not file it in March 13, 2018, Case Management Meeting, Fact!

. All throughout Mr. Black's Motion, he's referring to JREF as to of moved Case No: BC601443, to Federal Court. That's a False Statement. It was James Randi as a personal removed my case from State Court. You see this in his Motion I submitted to you on page #1 line 11, page 4 #11, page 10 #5 line 14-17. And you see the Attorney for The James Randi Educational Foundation to be Jonathan Martin, follow the same false accusation in Case No: BC684574 Motion CRS # 180321299835, Hearing Date: May 2, 2018. Was actually held May 8, 2018. On page 2 #2 line 6 he too is addressing JREF as papers filed with Untied States District Court, Central District, CA June 15, 2016. When in fact it was moved to Federal Court by James Randi as a personal sue of civil complaint. They hid the facts of a personal removal from State Court to Federal

Misrepresentation of its dismissal as a Dismissal to Amend. When there is no history to Amend until after Oct 24, 2016 in Federal Case Management Meeting it was first announced. There isn't any response history by James Randi Educational Foundation in their behalf as a corporation in past case BC601443 Amrned#1, no proceedings were ever made by JREF, as seen in the copies of cover sheets Motions moving into Federal Court by James Randi. The Covers are Plaintiff: Margaret Morris-Calderon Vs. defendant: James Randi as Personal Case is what was submitted to remove from State Court, Stanley Mosk. (Never JREF). Also seen in Judge Linfield Order to Sustain Defendant Jan 1, 2018, Case No: BC684574, page 3 #3 1317. Page 4 #1-27. Page 5 #5-16 identifies this cause of moving. Thus lead to Judge Order page 9 #12-14 is **Sustained Demurrer** in Case No: BC684574, Stefan H. Black False accusations introduced by misrepresentation of reckless in the prior Case No: BC601443 State Court, to Federal Case No: CV16-04270 JAK RAO. He represented them in his Motion to Demurrer against the Plaintiff of False of **JREF Moved to Amend.** Truth is James Randi as Personal Case Moved past case. Then Attorney Martin used the exact same false accusations to of been **JREF Moved to Amend** in his Motion, that lead false proceedings and caused to Dismiss my Case No: **BC684574**, in which there are no clerical errors.

Mr. Black continuing through his Motion to Demurrer is Stating the contract that's Breach July 10, 2013, waited more than four years. Filed Nov 27, 2017. This is in the fourth year time frame. The fifth year starts on July 10, 2018. Page 2 #3, and seen ongoing pages in his Motion.

Mr. Black made misleading accusations by stating that on previous case he and JREF as a lie, it was James Randi and Stefan H. Black who filed their Motions to Dismiss the first law suit in June 2016 (Not JREF). There wasn't granting to Leave to Amend as a Dismissal. It was a Personal Move., Page 4 #12. The request to Amend made by James Randi Attorney came after moved, in case management meeting Federal. They prevented me to Amend in State Court Stanley Mosk, Case Management Meeting July 13, 2016. And is seen in Attorney Martin's Motion to Demurrer page 2 #13. He copied the same statement.

Mr. Black entered misrepresentation of legal actions Mycogen Corp V. Monsanto Co., 28 Cal. 4th 888, 896 (2002) "Resjudicata, or claim preclusion, prevents relitigation of the same case of action in a second suitbetween the same parties or party with them" *Id.* "Under the doctrine of res justicata". As seen in his Motion to Demurrer, and in the Judge's Order to Sustain Defendant's The James Randi Educational Foundation, Motion by Attorney: Martin page 4 is summarizing claims to be the same from Stefan H. Black reckless and misleading false accusations on information filed March 12, 2018. Mr. Black misrepresented the first claim to have JREF in the proceedings and moving the Case No: BC601443 to Federal Court. Never did JREF have any Attorney or participated. Named party of sue was James Randi & Stefan H. Black.

STATEMENT OF CASE

Margaret Morris-Calderon was informed by public to look at The James Randi Educational Foundation in a direct manner of "Maggie go get your money". I didn't know what they meant. I was directed to their website. I found tabs to pulled down, and saw they're One Million Dollar Challenge. To anyone who could prove paranormal, ghost, psychics exist. As their website describes them to be scptic's. Of year's in JREF busting fakers.

I down laded their Application of Contract. And entered in June 2013, my evidence of Afterlife. As seen in attachments of exhibits to Civil Complain Nov 27, 2017, Case No: BC684574. My mother died Dec 2006, her landline was closed that same month. Later. I bought my first cellphone and new number in Feb 2007. That first month my mothers disconnected land line started calling me. And continued for 4 years. My broth Michael Berry is my witness, he was received them too CTP286, hand delivered, and signed by my brother in front of Superior Court Clerks.

James Randi Educational Foundation refused to respond to my Evidence of Afterlife. I tried emailing them CTpp. 327-328/Vol 2, I received a generated auto response, to print. I have a post cared from The James Randi Educational Foundation, with their Los Angeles, CA address on it, mailed to my P.O. Box. That's as far as they'd go.

I continued experiencing more paranormal activity, and didn't hear from JREF. I than made a Facebook Page, Maggie Ann's Psychic World to document. Like a Diary. And to have as more evidence to share with JREF.

After over a year went by, not hearing a word I filed a Civil Amended #1 Complain BC601443, March 18, 2016. And then a Civil Complaint that was correct, no clerical errors in Nov 27, 2017. That brings us to this place today, BC684574.

Contract I entered in July 13, 2013, that I Ms. Margaret Morris-Calderon submitted to JREF to take on their challenge. Filed in Civil Complaint Nov 27, 2017.

Not one person has debunked, or proved my evidence of Afterlife to not be credible evidence of the existence. After not hearing from the JREF for a year. I started calling them, and emailed them (ACTp. 327). I had made several contacts with JREF with no response. My Certified mail of Contract and Evidence to enter the JREF 7095 Hollywood Blvd. #1170, Los Angeles, CA 90028-6035 signature received is in (ACTp.325) with attachments to request for Entry of Default filed May 7, 2018 (ACTp.293-328. 37 pages) Vol 2.

Civil Contract of Complaint filed with Cause of Action Breach of Contract filed Nov 27, 2017 Stanley Mosk Courthouse, in Vol 1, (ACTp.08-69) pages following 70-73 are clerk error, those three pages were never filed. They shouldn't be there. Page. 75-77 is Proof of Summons Served by Mail, Vol 2, p. 317 is evidence of delivery of Complaint and Summons Served on history of USPS.

There's never been any issue of JREF not getting their mail from me of the Contract Breach, and the AT&T history etc. attachments.

The James Randi Educational Foundation was all gun hoe with choosing who's contract applications they received of choice on who's would be acknowledged with any worry of someone showing up with real true evidence like I've submitted. I know for fact there isn't anyone else who has 4 consecutive years of communications with the afterlife like I do. I looked for years and couldn't find anyone. I posted my evidence on an Admin page in my Facebook (Maggie Ann's Psychic World) for public viewing. I knew I was having more and more encounters of paranormal activity that was really unpredictable the majority of the time. I made so JREF could see the progress of activity I was receiving. I wanted them to be apart of it in hop's I would hear from them.

During this, I've been bullied and harassed by public in my close living environment. It's been a brutal situation to experience to say the least. JREF refused to acknowledge my evidence of Afterlife. Still to date not one person has defraud, or debunk my evidence of Afterlife. My Evidence must have been in front of over five Attorneys, and I don't know how many Judges? But it's been a lot. JREF wouldn't be going through so much trouble against me if they could disprove my evidence of Afterlife. He knows hundreds of sceptics to help him out. They've been active in public for many years. Where are they? Where are sceptics to debunk me? I most certainly put them up for their money to meet their One Million Dollar Challenge c.c-3388, c.c-3389, c.c.-3302, c.c-3391(1)(3), c.c.-3302. The James Randi Educational Foundation is indeed Liable and obligated to cover the monetary of their One Million Dollar Challenge, with three percent interest. C.c-3300, U.c.c 1106(1) Result there from (c.c3300) Written Contract from year 2013, (c.c. 1614)(c.c. 1439). And neglect acts of performance, The debt (c.c.328)(a) interest at 3%. General Damages 3359 CIV 3391(1)(c.c. 3287)(a). As seen in Vol 2, (ACTp.245-255.

The Defendants have been Noncompliant to proceedings of Case Management Meeting. And the defendant didn't appear for their late filed Demurrer of 41 days after summons served. The Hearing date set was May 2, 2018, The Appellant appeared for all Meetings and Hearings by Courtcall. I filed Default after the Defendant JREF Attorney: Martin didn't appear for their own hearing. No extension of time requested. Noting out of the Defendant. Default filed May 7, 2018, the day before the Judge made in his own opinion a new date of May 8, 2018 for hearing. California civil Procedure- CCP 581(a)(5)(3)(c), CCP 436(a) 437(a), Civil code 3392 The Defendants are rightfully default. Two times the Defendant hasn't appeared. And James Randi hasn't appeared to anything, totally noncompliant. He has no attorney.

On hearing date, May 8, 2018, I had told Judge Linfield that I filed a Default Request. That it was in Room 118D. He refused to address it. He could of asked for it, but never did. I kept my CRS appointment to appear by Coutcall to the Default Judgment 6/12/2018, 8:30am RS# 180517315223. The clerk canceled it in less than twenty four hours. I sat on line waiting to speak. But my First Amendment wasn't given to me. My right to a fair hearing wasn't given.

Judge Linfield made his own ideas of how my life after death should be shut down. His opinions of whatever there rooted from? Aren't just. He's put his own mind and will above law, the justice system. And feels he can speak for the world in his Initiative Order. I personally have meet hundreds of people waiting to discover the truths about the afterlife. People want verification to what they're experiencing.

And fact is our own Navy admits to capturing UFO's on video. Yet that's ok.. Maybe because they're men? Men with badges, it makes it good. This discrimination in my civil rights going on here in Superior Court, Stanly Mosk. By a small group of people. Speaking for our world. It's wrong. I ~~could~~ believe what I was reading of judge Linfield thoughts of fear. Like the courts have never had a high profile case before. The fear in protection to protect corruption is far worse than the fear of being on Saturday Night Live as a joke. If he only knew what I hear and see from people on the topic of Afterlife he wouldn't be talking pure nonsense on such a serous subject. With all the hate in the world. The sickening things going on in the world. Like nothing carries over to the other side when they die. People should know about this. It wouldn't be given to me if it wasn't ready to be known. Believe me people are ready for the truth.

Ms. Margaret Morris Calderon
Margaret Morris-Calderson

U.S. Rule 55. Default Judgment is in Jurisdiction.
Respondants are liable to honor their public offer.
Evidancee has been Submitted of Afterlife.
"Life After Death".

STATEMENT OF FACTS

- (A) Appellant/Plaintiff Margaret Morris-Calderon Served and signed only two civil complaints. First past civil complaint in Superior Court BC601443, back in 3/18/16 Amended #1. To Agent of Service: Stefan H. Black. That had a case management meeting scheduled for 7/13/16, Ep. 71, As seen in RT. Back then named parties of sue: James Randi & Stefan Black, as clerical error. Could have been corrected in Case Management Meeting. Randi moved that civil complaint to District Court, without notice of removed status, Court Rule 3.22, in 6/15/16. It should never been granted to be removed to Federal Court. James Randi (not JREF) removed it in malice to avoid the case management meeting. To create a new nature of cause to Amend #2, in 10/24/16 District Court Meeting, Case No:2:16-CV-04270-JAK-RAO. CACI 1501. And the defendants hid parties attachment to proof of summons served naming Stefan H. Black as Agent of Service. The named parties hid all documents filed, from the 10/24/16 meeting away from Judge: Kronstadt review. All but one sheet the civil complaint. Judge: Kronstadt then made a General Minute Order as Augment of Records to Appeal Exhibits. That James Randi Attorney and Stefan Black refused to give the Plaintiff: Margaret Morris-Calderon a copy of (Moving party responsibility to give court document copy to the moved part, Plaintiff is SSI & SSA Income only) It's not the plaintiff responsibility to cover costs of documents of Defendant.
1. Every time the Defendant is addressing a Amendment was needed. They are referring to past case. No Amendment is needed in this case BC684574, no clerical errors in this civil complaint. It's an ongoing attempt to falsify and mislead the courts, as a malice actions and argument. Roberts, supra, 76 Cal.App.4th at p. 832, 32 Cal.4th 958, 970 (12 Cal. Rptr.3d 54, 87 P.3d 802). District Court Judge: Kronstadt, in Docket #55 stated Dismiss with option to Object. Plaintiff Objected without knowing what the Court General Minutes were about? The Attorney's are from the same law firm in both cases. James Randi Attorney told me to Amend past civil complaint in oral, to do it in 10 days. I didn't know anything about a "leave to amend". Followed was Judge: Kronstadt Terminated of 2:16/CV-04270-JAK-RAO, 3/30/16. Margaret Morris-Calderon didn't know if the decision was final? And tried to Amend the already existing case. Never meaning to open a new complaint in District Court. Margaret then filled out a Complaint in District Court- Civil Complaint 42U.S.C.1983, using the same case number 2:16-CV-04270-JAK-RAO, 4/10/17 to correct the Complaint from Superior Court that was moved. The same case number as James Randi opened. Is what Margaret Morris-Calderon signed, and served for filing.
 2. Fact The District Court Errored in her Clerical Duties by crossing out the case number that Margaret entered, as seen in Appellant's Opening Brief in Exhibits of evidence. The clerk entered a new case number never signed for or never served Case No: 2:17-CV-

2842 DSF Apr 10, 2017. Clerk Fed Rule 79(a)(1)(2)(B), Clerk cannot condition the filing local rule requirements. Clerk ministrerial duty of filing. The correct thing the District Court Clerk should of done, was to make a Notice of Rejection. In cause of an already existing case number, with the same id parties named. And retune mailed the District Court Civil Complaint 42U.S.C. 1983 Apr 10, 2017, mail back to the Plaintiff. CACI 1520 *Young v. Solomon (1947) 38Cal.App.4th 521. 530 (3 Cal.Rptr.2d 49). 14 California Points and Authorities, Ch. Malicious Prosecution and Abuse of Process 147.70 et seq. (Matthew Bender.* Grounds for dismissing the Defendants Demurrer to Dismiss the Plaintiff Civil Complaint Nov 27, 2017 BC684574. Demurrer 3/22/018 in Superior Court, Stanley Mosk, Los Angeles, Ca.

- (B) The Plaintiff: Margaret Morris-Calderon Filed Civil Complaint Nov 27, 2017, BC684574, with Exhibits Attached of Evidence of Life After Death "Afterlif" Against The James Randi Educational Foundation, Founder of JREF-James Randi, Randi is the Chief Executive of JREF, an Insured Corporation. CT pp.8-45/Vol 1. Summons CT.pp56-57/Vol 1. Notice of Related Case CTpp58-59. Deputy Notice No Service, listing four attempts of service CTpp. 65-67, violations in CA service by deputy, she should of left the summons with the person in the address office. And by law the security guard can't refuse access to the their floor. Forced the Plaintiff: to serve by mail CT pp. 75-77/Vol 1, CTp317 USPS history print of delivered Proof of Summons Served 2/1/218 to Agent of Service: Stefan H. Black mailing address-CA Corp Code: 1446(a)(b). as valid summons served. Mr. Black appeared at Case Management Meeting on behalf of himself, Not JREF or James Randi, 3/13/18, 8:30am, Dep 34, Judge: Linfield.

- (1) Agent of Service: Stefan H. Black put on a show, an act to deceive the court. Of himself not understanding the Civil Complaint BC684574. To falsify himself as a defendant. Judge told Stefan H. Black he isn't named anywhere as a party of sue. Then Stefan Black revealed his true intentions of falsify entered a Motion to Demurrer to Dismiss. Plaintiffs Complain 11/27/17. Judge told Mr. Black he shouldn't of don that. And couldn't see it posted. It hadn't been paid for yet. Stefan H. Black then left the courtroom and defied the Judge telling him not to file his Motion. At 9:30am Stefan Black paid for the Motions to be filed CT p. 87/Vol 1, is evidence. Stefan H. Black is an Attorney at law. And was totally aware of his actions to deceve, in malice actions.
- (2) JREF never responded in any way to Proof of Summons Served 2/10/18, nor did James Randi. No Request for Extension of time, no good cause, was ever given By the Defendant. Case Manàgement Meeting Judge Linfield requested Default for cause as seen in Appellant's Petition for Rehearing in exhibits. Plaintiff filed Default, Signed 3/15/18, as correcting a missing date of signed. Plaintiff made correction, filed 3/21/18. As seen in Petition. CA Trial Court Rule (a). The Defendant filed late his Demurrer to Dismiss Civil Complaint 3/22/18. The Superior Court refused to post on oral said no Notice of Acknowledgment of Receipt Defendant was included. Clerk cannot condition the filing local rule, requirements, ministrerial to file 1st Default.

CONTINUE OF STATEMENT OF FACTS

Default March 21, 2018 signed 3/15/18, file 3/21/18 stamped as seen in Appellant's Petition for Rehearing, in Evidence of Exhibits as factual evidence. Petition was filed on time in 2nd Appellant, Devision 5. CA-Code's: 3300, 3287(A)(B), 3392, 1439, 585(a), 457, CA civil procedure 416.10(a), 415.30, and 1614, 1615, 1605, 1606 Of Chapter 5. California Clerk CCP-C0de: 412.20(A)(3)(4). Court Rule 3.1320(a)(d)(f), Rule 8.137(1)(2)(A)(B), 14th Amendment.

Grannis v. Ordean (1914) 234U.S.385.35Ct779.58L.Ed.1363(234U.S.385 Richman v. Hartley(2014)224 Cal.App4th1182,1186) Breach of Contract Granns v. Ordean(1914)234 is Contract Breach Default Kashiani v. Tsann Kven China Enterprise C., (2004) 118Cal.App.4th531,541-City of Moonrpark v. Moorpark United School Dist., (1991) 54Cal.3d 921, 930 Blunder v. Gentile, (1957) 149Cal.App.2d874)(California civil C0de1607) Russell v. Union Oil Co., (1970) 7Cal.App.3d110,114

(C). Appellant/Plaintiff filed two documents in Superior Court, Stanley Mosk Apr 5, 2018. First is the Plaintiff's Civil Codes in Support of Breach of Contract as Action of Cause titled: Attachment to Civil Complaint of Fact's and Findings, with Declaration, and copy of Cause of Action Contract Breach. Secondly is Plaintiff's Objection to Defendant's Demurrer to Dismiss 3/22/18. That is copy of the fraudulent Motion made by Agent of Service filed 3/12/18 post dated. As seen in Appellant's Opening Brief pp.10-17. Objection CT 245-274/Vol 2, p.255 CCP-Code 436(a), CCP Code 437(a)Plaintiff Strike against the Defendant Demurrer before hearing date set at May 2, 2018, 8:30am.

1. The Defendant again failed to Appear on their Hearing date and time. Plaintiff appeared by telephone, Dep 34. Plaintiff told Judge Linfield at 8:30am, 5/2/18 hearing, Defendant is in Default again. The Judge ignored the plaintiff 1st Amendment not given, violation in Procedural Due Process. No civil rights were recognized in the-Plaintiff entry. 4th Amendment.

Granns v. Odean (1914)234 is Contract Breach Default Goldberg v. Kelly, 397 u.s.254,267-68(1970) Judge Linfield Rescheduled to the following day 5/3/2018, in which he made a new Pulmonary Itinerary the day before, he had stated. And asked me to read in 15 minutes to answer the pages. I needed more time to review for researching docket numbers in District Court as evidence in truth to events. Judge Linfield then rescheduled again to May 8, 2018. Plaintiff entered second Default #2 Default filed 5/7/18 before hearing. And is seen in RT, And in Appellant's Responding Brief in Exhibits as evidence. CCP-Code:3300, 585(a).

CONTINUE OF STATEMENT OF FACTS

Defendant in #2 Default 5/7/18, CTpp.292/Vol 2-pp.339/Vol 3. CCP-Code's: 581(a)(5)(6)(1)(3)(c). Defendant is liable under Civil Complaint Nov 27, 2017, Breach of Contract, As Promised by The James Randi Educational Foundation in honoring the publicly known challenge they made of evidence in paranormal activity the Afterlife, of Margaret Morris-Calderon communication by telephone history on AT&T sheets of incoming calls from her mother Patricia R. Leone, Aka Pulusele as seen in death certificate CTp.26, last Billing of her telephone Dec 26, 2006, CTp.27, Margaret Morris-Calderon aka Smith first cellphone Billing, with first cellphone number date: Feb 28, 2007, CTp.28, four years of incoming calls from Patricia's landline to Margaret CTpp.29-45. JREF Contract dated June 6/10/13, Certified delivered June 6/17/13, As promised CA-CIV: 1606, 1605, 1615, on a written agreement CA-CIV:1614, CA-CIV 3300, Business and Professions Civ- Code: 3388, Civ-Code:3389 for it's breach, default, Civ-Code: 3390(e) as an agreement, Margaret Morris-Calderon was not received an adequate consideration to the Contract of Breach, and JREF has not fulfilled as promised Civ-Code: 3391(1)(3). An obligation to render serve. Breach, failed to act as promise, even if the did not read the contract. Is a failure to perform. The detriment caused by breach of an obligation to pay money is deemed to the amount due One Million Dollars, Plus 3% interest, by the terms of the obligation, with interest thereon Civ-Code: 3320. Civ-code:3390(a) Performance CA-Code: 1439, Plaintiff is entitled to recover damages CA-Code:3287(a)(b)(d). Plaintiff has fully complied to fulfill with evidence CA-Code: 3392. Downloaded off of the JREF website. Civil Procedure Code: 581 (a)(5)(6)(1)(3)(c), Filed in Complaint 11/27/17, CCP-Code: 412.20(A)(3)(4) Summons Served to Agent of Service: Stefan H. Black 2/10/18, was Default twice #1 Default 3/21/18, #2 Default 5/7/18 defendants Noncompliant to Proof of Summons and The defendant Demurrer date: 5/2/18. Grannis v. Ordean (1914) 234 U.S.385.35.S.Ct.779.58L.Ed.1363(234U.S.385 Granns v. Ordean(1914)234 is Contract Breach Default

2. Superior Court Clerk in Default filed a Notice of Rejection to #2Default CTpp. 341-342/Vol 3, on cause of Demurrer was filed 3/22/18. She refused to Acknowledge the fact that JREF was Noncompliant to that Motion Hearing date: 5/2/18, and time 8:30am. Margaret Morris-Calderon Appeared, and told the court Defendant is in Default. Objections were already filed to sustain, Apr 5, 2018. CA Trial Court Clerk Rule: 2.20, Court Rule 8.137(1)(2)(B), Rule 3.1354(a), Rule:3.1320(a)(d)(f). Defendant JREF Noncompliant to Hearing date and time. Clerk may not condition the filing Rule Requirement. Default Clerk Ministrerial the Due Process of Default. Cary v. Piphus, 435 U.S. 247,266-67(1978); Marshall v. Jerrico, Inc., 446 U.S.238, 242(1980); Nelson v. Adams, 529 U.S.460(2000) Amendment of Judgment, Liable Corporate. Procedural Due Process Civil: Fourteenth Amendment. 752 Corey v. pipus, 435 U.S.247, 257(1978)

CONTINUE OF STATEMENT OF FACTS

(D) Plaintiff/Appellant: Margaret Morris-Calderon claims that Respondent: The James Randi Educational Foundation wrongfully (*Boeken v. Philip Morris USA, Inc. (2010) 48 Cal.4th 788, 792-793*) The doctrine of res judicata for they're conclusive of involving the same controversy. To establish their Demurrer Claim against Civil Complaint Nov 27, 2017 BC684574, in Abuse of Process, CACI No. 1520.

1. The Plaintiff has made clear, with evidence in defendant augment of records, Apr 22, 2018 filing. Ex G p. 180, and in Appellant's Opening Brief p. 21, The Defendant mislead the court on false pretenses. Past Civil Complaint Amended #1, March 18, 2016, Superior Court, ID name of sue James Randi and Stefan H. Black. Case No: BC601443. Case management meeting was scheduled for July 13, 2016. Any error that the defendant sought could have been rectified at date, in Superior Court. James Randi Removed it to District Court before the meeting, without cause. Cause was established in District Court General Meeting Oct 24, 2016, Defendant Ex Cpp.154-166, District Court Case No: LA CV16-04270-JAK-RAO, Judge Kronstadt. Margaret Morris-Calderon v. James Randi, no where is The James Randi Educational Foundation. This minute order is evidence Case No: Amended #1 BC601443, District Court LA CV16-04270-JAK-RAO. Isn't the same as Civil Complaint BC684574, No Amendment needed, No clerical errors. Cause of Action Breach of Contract.

2. The third false accusation on false pretenses is the Case filed by District Court Clerk Error. Margaret tried to make right the cover sheet on complaint by using the same case number James Randi opened LA CV16-04270-JAK-RAO April 10, 2017, 4/10/17. By correcting the name of party of sue, from James Randi to JREF. The Court Clerk Crossed Out the Case Number Served. And signed by Plaintiff. And Changed it wrongfully to a new case number never served, LA 17CV-02842-DSF wasn't signed or served violations in clerk duty Fed Rule 79 Record Kept by the Clerk (a)(1)(2)(B). Clerk may not condition the filing local rule requirements. The District Court Clerk ministrerial by changing the case number.

There is no authority extending the tort of abuse of process to administrative proceedings. Application of the tort to administrative proceedings didn't serve its purpose of tort. To preserve the integrity of the court. *Stolz v. Wong Communications Ltd. Partnership (1994) 25 Cal.App.4th 1811, 1822-1823 (31 Cal.Rptr.2d 229)*. *Trear v. Sills (1999) 69 Cal.App4th 1341, 1359 (82 Cal.Rptr.2d 281)*.

The use of the machinery of the legal system for an ulterior motive.

It is apparent the Respondent The James Randi Educational Foundation and Attorney: Jonathan Martin have come to a place of nothing more than opinions. Even the false accusations that's been said repeatedly against the Appellant Margaret have still not been proven to be sustainable with evidence on they're behalf. Keeping The James Randi Educational Foundation liable to honor their One Million Dollar Challenge that was made public in 2012-2015, Breach of Contract 2013. With the 3% interest as said in Appellant's Opening Brief.

There was never two previously filed, opened, and served law suits that were ever dismissed on the same allegations. And false accused to being dismissed on the same merits. That's a fraud statement without any evidence to prove they're accusation. No evidence of any by Respondent.

No fair hearing was taken in Case No: BC684574 on May 2, 2018, 8:30am, no Defendant or Attorney appeared. The Plaintiff appeared 8:30am. Appellant's Opening Brief (AOB, p. 23 is RT, time start's at 9:33am Dep 34. I asked the CA Court Reporter's Board, why didn't the Court Reporter document the 8:30am time? I was there! I was told because there was no proceedings. She didn't have to. Judge Linfield told courtroom employee to call the Law Firm Brisbois Bisgaard & Smith LLP to send someone to Dep 34. For the first reschedule 9:30. The Judge bent over backwards to accommodate their Attorney Martin. U.S. Rule 55.(a)(b)(1)(2)

Judge Linfield still accommodating the Defendant without a time extension request ever filed, rescheduled to May 3, 2018. No Pulmonary Itinerary had been posted yet on the State Courthouse website to see. The Judge made that and posted after. The Pulmonary Itinerary was posted less than 24 hours before May 3, 2018, when Attorney Martin appeared by telephone. And there is no history of filed CourtCall for Attorney Marin, ever! Attorney Martin verified he was only representing The James Randi Educational Foundation, not James Randi. And the Judge had requested the Appellant to answer and read what was never seen by her before. I needed to review the Itinerary. Judge Linfield rescheduled to May 8, 2018. The Appellant entered a Default Judgment on the Defendants. May 7, 2018. The Defendant doesn't have any Jurisdiction to support and sustain their Dumerrer to Dismiss or any other of the false accusations in the 3 page Motion, Res No: 180321299835, And the Memorandum of Points of Authorities. There wasn't any exhibits filed in the Defendant's filings. Because they didn't pay to clear the \$435.00 3/21/18. Attorney Jonathan Martin just printed out the Reservation ID: 180321299835 in Supplemental-Clerk's Transcript p. 000007, to fraudulently act like something went wrong, it's a show, an act. Attorney Martin never paid for a cleared filing of exhibits or Motions, Declarations, etc. Or he would of brought that up to the State Court Stanley Mosk was before the Hearing. This Attorney Martin is recluse, with intentional deceit in filing. No exhibits were ever filed in State Court or used in proceedings by the Defendant in Case No: BC684574. And he knew they weren't the whole time. There is no evidence of receipt of cleared payment of Reservations May 21, 2018 for filings posted May 22, 2018.

U.S. Code 1505 Obstruction of Proceedings, 2011 US Code, Chapter 73-Obstruction of Justice, Sec. 1505.

California Proceedural Due Process Civil- The Appellant Presented Good Cause. CCP 1732(d). The Hearing to Demurre wasnot held on May 2, 2018. 8:30am, Defendant was noncompliant. The Plaintiff Objection sustained by CCP1732.

Cary v. Piphus, 435 U.S. 247, 266-67 (1978); Marshall v. Jerrico, Inc., 446 U.S. 238, 242 (1980); Nelson v. Adams, 529 U.S. 460 (2000)

Amendment of Judgment, Liable Corporate. Procedural Due Process Civil: Fourteenth Amendment

752 Corey v. pipus, 435 U.S. 247,257(1978). Procedural due process rules are shaped by the risk of error inherent in the truth-finding process as applied to the generality of cases. Mathews v. Eldrige, 424U.S.319,344(1976). Baldwin v. Hote,68U.S.(1wall.)223,233(1863) Mathews v. Elrige,424U.S.319,333(1976) Service of Notice-Goldberg v. Kelly,397U.S.254,267-68(1970)

~~James Randi was never excused from Case No: BC684574 by Judge. And Attorney Martin~~

~~hasn't paid for telephone apperances. Neve paid for Court Transerip of Appeal, None~~
~~Compliant to file 8/2/18 Cort Order CRC Rule 8.137. But State Court sent them copies.~~
~~Courthouse can NOT discriminate in proceedings against: sex, Religion, Race/Color or~~
~~Ethnic in Procedural Due Process. Margaret Morris-Calderson~~
~~or Disabilities.~~

APPELLANT'S RESPONSE TO RESPONDENT'S FACTS & FINDINGS ERRORS AND FALSE ACCUSATIONS

Nov 16, 2015 Civil-Complaint BC601443, was never served. It was Amended #1 March 18, 2016 as the only service, to Agent of Service Stefan H. Black. Respondent Brief p.12 second sentence, is false, (fraud at this point) stating JREF removed the case to United States District Court Going onto further false accusations of JREF moved to Dismiss. It was James Randi & Stefan H. Black who opened in United States District Court the Amended #1 Complaint as a personal move. Not JREF. There is no history of any Attorney for JREF in past old case doing any moving. There is a recorded telephone call of myself with James Randi's Attorney Sara Adibisedeh uploaded in District Court & Supreme Court of the United States D.C. of being notified by James Randi Attorney on phone. That's in my Facebook, and in Google search under my name. Sara Adibisedeh called me and I told her I was recording. That case was moved by James Randi as a personal suit first, then Stefan H. Black entered himself as self-represented. There is no evidence to sustain any of the Respondent. JREF didn't take part in any proceedings. Didn't appear in District Court Meeting Oct 24, 2016, and no Attorney. That accusation is fraud. The Attorney is acting out as a con, totally fiction on his part to miss lead away from the truth of past proceedings.

There was a Dismissal in District Court Docket #55, made by the Judge after Meeting date Oct 24, 2016. With the option to Object. Defendant to Object by 3/24/17, Plaintiff to Object Proposed Judgment by 3/31/17. I had told this to State Court Judge Linfield Dep. 34 on Dumurrer date 5/8/2018. I made an Objection then proceedings went on, that it wasn't anything about the true nature of the Complaint or Cause of Actions. It was to request me to make Amended #2 to the #1.(CTp.13 #12-28.)There never was any minuet order given to me by James Randi's Attorney or Stefan H. Black, not by District Court either. All I knew was I had 10 day's to Amends to #2. I'm in Arkansas. I couldn't do that. So I created a new cover sheet for the Civil Complaint Amended#1, from the District Court Complaint and entered the same Case No: LACV16-04270-JAK-RAO, as seen in my Opening Brief p. 21 the clerks changed it, and it no longer matched my Filing Fee Waiver Granted in District Court Aug 22, 2016, Docket 26. Thus caused the complaint I intended to rectify the request to be Dismissed because it didn't have funds to cover the cost. Never opened and no relations to the Dismissal of the moved complaint as personal by James Randi, then requested to make a second Amendment that never happened. To cause that dismissal, no relations of cause to merit. April 10, 2017 was never meant to be a separate case. The evidence of that is in Attorney Marin's "New exhibit" Gp. 180-186. I had just been Dismissed by Judge Kronstadt right after the meeting 10/24/16 with option to Object. And then 4/30/2017 Judge Kronstadt "Terminated" the case. I didn't know if I could enter anymore of anything? So I did! Case No; 17-CV-02842 that clerks changed

to. It was never opened or served. (ACT 245-272. P. 000270) is the cover to District Court 2:16-CV-04270-JAK-RAO as moved from State Court to District Court as Personal.

Respondent Brief p. 13(C) There is no history of two prior cases Dismissed on the same claim. One dismissed because no second Amendment was created. The other was originally that same case number the clerks changed it (error) No payment for filing. Never opened or served, no causes of actions were included in that file. Never served. Respondent can't prove what he's trying to pass wrongfully. The evidence just isn't there to sustain him. The James Randi Educational Foundation is liable to uphold they're promise to Appellant on Contract with Evidence of Exhibits Attached to Civil Complaint filed Nov 27, 2017, Case No: BC684574, which has no clerical errors or amendments. And never had been requested to amend.

Common sense would tell you the Case No: BC601443 3/18/16 was moved by Attorney Sara Adibisedeh in the same Law Firm as Attorney Martin, moved June 15, 2016 for James Randi as a personal case. Because there wouldn't of been any other sustainable cause to of moved it!

In District Court I was having to address correct ID of parties. To try to sustain the true nature of cause. You don't see the Defendant responding and proceeding to my entered files on the true nature. It's not there for the Respondent to present. There wasn't any proceedings to the cause of actions, no where in District Court. In fact James Randi & Stefan Black left out all attached exhibits and cause of actions away from the case meeting date Oct 24, 2016. Judge Kronstadt was given 1 sheet on that meeting date by the defendants. It was the cover complaint sheet. No other documents filed by State Court and me were submitted to the Judge. The only parties that appeared to that meeting was Stefan H. Black, and an Attorney for James Randi. No one for JREF. Appellant filed in 2nd District Court of Appeal (Request of Service of Order of Transcript of Related Case) from that meeting date Oct 24, 2016. Is filed in 2nd Court of App July 20, 2018 received. I've notified the court of Appeal it needs to be presented to a Judge Signature. Because Judge Kronstadt was really upset that there wasn't any information that went with the complaint presented to him. There were no related proceedings in any of the two only case's I opened and served.

The cause of the first case of error was made by the Beverly Hills Civil Unit of service and State Court Clerk Paul So (ACTp. 000263)p.263-269. Proof of Individual removal from State Court to Federal Court (ACT P.000270) Not JREF. The Defendant The James Randi Educational Foundation hasn't presented anything more than false accusations, no evidence to sustain the dismissal of Case No: BC684574 Appellant strikes against the legal augumant with good cause 14th Amendment, Procedure of Due Proses Carey v. piphus, 435U.S.247,259(19780. Mathews v. Eldrige424U.S.319,344(1976). Goldberg v. Kelly, 397U.S.254,267-68(1970)

However: If the Court see's no need for Trial Court, evidence in Afterlife is submitted to support the Breach of Contract and true facts are named in Opening Brif of continuing as defendants noncompliant by Default. To legally Justify Granting the request by Appellant against the JREF as to legitimately sustain as them to be liable by Judge Order to honor they're promise of

compliance on contract on behalf of the Appellant. Liability & Granting of JREF One Millan Dollar promise made publicly, with 3% interest (ACTp. 000292-000340) as evidence to sustain Appellants entry of Default, as served. Is Granted by Order would be case as sustainable cause for Judgment Order. It was established in District Court that the JREF is Insured by the James Randi Attorney Sara Adibisedeh, same law firm as Attorney Martin. But they didn't say who the Insurance Co. is? See Declaration (ATCp.000330.) The State Court Notice of Rejection Default/Clerk's Judgment Appellant to Strick as Frivolous, no Jurisdiction to sustain of support. The Demurrer filed 3/22/18 for Hearing Date May 2, 2018, 8:30am. To which the Defendant was noncompliant, and no proof of payment by cared to of ever cleared to allow the Motions, and Declarations of Jonathan Martin. The Hearing on May 8, 2018 has absolutely no Jurisdiction to sustain. Grannis v. Ordean (1914) 234 U.S.385.34. S. Ct779.58L.Ed.1363(234U.S.385) 14th Amendment,Civil Code's App (AOBp.5)

Appellant filed Default first following Case Management Meeting March 13, 2018, (ACTp.000219.) Minute Order, Judge Linfield say's order to show cause Re Entry of Default also set for May 17, 2018. Appellant filed a first Entry of Default before Defendant's Motions, March 22, 2018 on JREF behalf. First on April 21, 2018 is Default filed by Plaintiff 3/21/18. The Default Clerk in State Court wrongfully Rejected it, based on saying there wasn't any signed Defendant Acknowledgment of Receipt and return. I entered the copies of Proof of Service Served by Mail (ACTp.75-77) the delivery is confirmed by the appearance of JREF-Agent of Service Stefan H. Black at the Case Management Meeting 3/13/18, of him misrepresentation of himself to be a defendant. To fraudulently enter Motion to Demurrer & Dismiss. The Default Clerk had no Jurisdiction to Reject that Entry of Default. It was a mistake on the Clerk in State Court, Good Cause to Order Judgment Granting Default in sustain Appellant

If this case were Granted Trial Hearing. There really isn't any problem in proving the Attachments of Exhibits to this Civil Case as evidence to meet the challenge of Afterlife does indeed exist. My mother was single 1, living alone. In government housing for the elderly and poor. After her death. All her belongings were removed from her apartment. And a new tenet was issued that unit from a waiting list. My mother's landline never called me before her death on my cellphone. Because I didn't own a cellphone during her life. With Credible Witness (ACTp.000286) Statement.

Another violation in Appellant civil rights to due proses after the hearing 5/8/18, Judge Linfield ordered the Defendant JREF Attorney to send the Plaintiff a copy of Judgment Proposed Order. He refused to comply. I emailed him for it, called his office. I notified Dep 34. (ACTp.000397#20-27). Then Attorney Jonathan Martin demanded me to respond to the order that was never given to me by Court Rule 3.1312 (ACTp.000401) (ACTp.391-430) Proof of mail Summons Served (ACTp.412) Delivered 2/10/2018 to Agent of Service-Stefan H. Black

California Civil Procedure CCP, Sec. 527,6.(1)(3), Attorney Martin's integrity has a lot to be desired.

The Respondant Filed Opening Brief late. And Mailed Copy to the wrong State Court Clerk's.

Margaret Morris-Calderson

CACI No. 1501. Wrongful Use of Civil Proceedings

Plaintiff: Ms. Margaret Morris-Calderon claims the Defendant The JREF without merit brought a legal authority and action of Demurrer to Dismiss her. To establish this claim, Margaret must prove the following:

1. That The JREF was actively involved in bringing (or continuing) the Action, in Motion to Demurrer to Dismiss.
2. That the lawsuit ended in Margaret Morris-Calderon Favor;
3. That no reasonable person in The JREF's circumstances would have believed that there were reasonable grounds to bring the action against Ms. Margaret Morris-Calderon;
4. That The JREF acted primarily for a purpose other than succeeding on the merits of claim;
5. That Margaret Morris-Calderon was harmed; and
6. That The JREF's conduct was a substantial factor in causing Margaret Morris-Calderon's harm.

The law requires that the trial judge, rather than the jury, decide.

1501. Wrongful Use of Civil Proceedings (Nature of Complaint Evidence of Afterlife)(Contract-Breach failure as promised CCP-3390(e), OBp.5, 4.) (CT p. 228) & Objections Filed, (RB p. 4).

Plaintiff's Legal Codes of Support Civil Complaint in Attachment to Civil Complaint Facts & Findings (CT 223-240 p. 228) 4/5/18 Declaration-Breach of Contract Civil Codes. Plaintiff's Objections of Defendants Motions to Demurrer to Dismiss (CT245-272 p. CCP-Code: 581(a)(5)(3)(c), CCP 436 (a), CCP 437(a), Defendant didn't respond to Proof of Summons Served 2/10/18 didn't respond in 30 days. Plaintiff to Strick, and Dismiss defendant's Motions filed late 3/22/18, 4/23/18. Case Management Meeting 3/13/18, minute order Judge Linfield Ordered Default (CTp.219). Plaintiff Entered #1 Default 3/21/18. Error in missing dates were corrected by Plaintiff. Court Clerks refused to post it wrongfully, in verbal said No Defendant Notice of Acknowledgment was include, violated CCP 415.30, 416.10(a), CCP 412.20(A)(3)(4) IN Default CCP585(a). Clerk court rule 2.20(a).

Defendant entered claim is based on res judicata is subsequent litigation involving the same controversy.

Defendant in an act of malus used a **District Court Clerk Error in Filed Document 4/10/17 (Records kept Fed Clerk Rule 79(1)(2)(B))** as none service, or signed for Case No: LA17CV-2842-DSF. Plaintiff signed, and mailed Defendant an already exsisting Case No: LACV16-04270-JAK-RAO filed by James Randi. In Plaintiff effort to correct Cover in Civil Complaint Amended #1. In using District Court Complaint 42 U.S.C. 1983.

The Court Clerk correct actions were to of been, Returned the District Court Complaint-42 U.S.C. 1983 by, Margaret 4/10/17, signed, and served Case No: LACV16-04270-JAK-RAO. As a Rejection Notice of an already existing case with same parties.

The Defendants Attorney is in the same law firm Lewis Brisbois Bisgaed & Smith LLP as listed Attorney's in this case John L. Barber. Who appeared at Appeal Argument Date. And is filed in Defendant Ex p.180, and Plaintiff OB p.21, p.17 as evidence. No sustainable evidence in 3 cases to of been filed. The Clerk error caused the dismissal to come to face by changing case #. Case signed by Plaintiff no longer matched Granted Filing Fee Waiver Granted Aug 22, 2016, Docket 26 as said in RT. Is what caused no funding. The Appeal The Plaintiff entered in Clerk Error LA17CV02842-DSF, April 10,2017 is of completely different nature. And was filed late in 9th Circuit of Appeal in Defendant Ex Gp.180-186, Ex H p.188. Are all filed in Clerk Error of cause. And have no merit to sustain law authority by Defendant.

Furthermore, the Defendant knew that document 4/10/17 was never served. Because the District Court Complaint intended to correct the court request to correct Complaint March 18, 2016 Amend #1, as clerical error. ~~Case~~, # LACV16-04270-JAK-RAO was mailed to they're law firm without clerk changes first. The defendant had to request #2:17-cv-02842-DSF Document 1 4/10/17, from the district court, to collaborate fictitious, and malicious Demurrer to Dismiss on, false pretense. To cause Plaintiff Civil Complaint harm, and present false slanderous accusations against her.

(Franklin Mint Co., supra, 184 Cal.App.4th at p. 346)

(Kimmel v. Goland (1990) 51 Cal.3d 202, 209 (271 Cal.Rtr. 191 793 P.2d 524).

To sustain Default March 21, 2018

Appellants OBp.4, *(Grannis v. Ordean (1914) 234 U.S. 385. 34. S. Ct. 779.58l. eD. 1363 (234 U.S. 385)*

(City of Moorpark v. Moorpark United School Dis., (1991) 54 Cal. 3d 921, 930)

(Kashiani v. Tsnn K uen China Enterpris Co., (2004) 118 Cal. App4th 531, 541)

(Blunder v. Gentil, (1957) 149 Cal. App.2d 869, 874)

As Breach-Contract *(Richman v. Hartly, (2014) 224 Cal. App. 4th 1182, 1186)*

Furthermore the Demurrer to Dismiss May 2, 2018, 8:00am. Defendant failed to appear. The Plaintiff appeared, telling Judge Linfield the Defendant is in Default. The Judge ignored the Objections filed is Notice to Strike & Dismiss Motions of Demurrer. Continued to defy CA Procedural Due Process Civil- CCP 1732(d), CCP 1732. #2 Default filed by Plaintiff May 7, 2018. Defendant made no request for extended time, no good cause entered. Default #2 has Plaintiff legal authorities and codes for Granting. Court Clerk made accusations after none appearance of defendant twice, is violation of to appear. Default, is Clerk error CCP412.20(A)(3)(4).

POINTS AND AUTHORITIES

"California courts have held that victory at *trial*, through reversed on appeal, conclusively establish probable cause." (Roberts v. Sentry Life Insurance (1999) 76Cal.App.4th 375, 383 (90 Cal.Rotr.2d 408).

There was in deed malic element has directly concerned with the evidence that the Defendant knew that the factual allegations and authority he entered in Demurrer to Dismiss of action on which he depended were untrue, the jury must determine what facts the defendant knew before trial court can be determine the legal question whether such facts constituted probable cause to institute the changed proceeding. (Sheldon Apple Co., supra, 47 Cal.3d at p.8881, internal citations omitted.

Fact #1, that the same law firm handled prior Case No: BC601443 Plaintiff first complaint Nov 2015 opened was never served Summons. The JREF closed public mailing address. Caused the L.A. Deputy of Service submit a request for correcting names on Complaint & Summons to matching a new service (CTp.263-272, p.263), to Amend #1, March 18, 2016 was the only other complaint signed, and served by plaintiff. The case Management meeting was set for July 13, 2016. The defendant wrongfully without good cause removed case BC601443 to L.A. Central District Court. It should of never been removed. Once the defendant James Randi as personal suit removed the plaintiff's complaint to Fed Court Case No: 2:16-cv-04270-JAK-RAO that changed the nature of complaints. Evidence in defendant's Ex. p.154-167, Judge Kronstadt CIVILMINUTE-GENRAL from case meeting date held Oct 24, 2017 in District Court. The Nature was changed to Amend. In which could of taken place in CA Superior Court in the July 13, 2016 Case Management meeting, was an act of malicious to derail the civil complaint. No actions or proceeding took place in Contract Beach, with the evidence of afterlife, the true nature in breach of contract between the plaintiff and defendant.

Furthermore; the plaintiff was never given a copy of District Court Judge Kronstadt minutes Date Feb 14, 2017. Fact #2, The moving party is responsible for legal documents filed by them and the District Court to be given to the plaintiff from the defendant as the moving party. The act of malicious conduct by defendants withholding important document to correspond accordingly to the following request by Judge to the Plaintiff to Amend. Lack of information handicapped the plaintiff in response. The District Court doesn't have free at expense to view filed court documents. The plaintiff is Disability permanent, Single 1, No Earned Income, more than 5 years. The plaintiff doesn't have funds to pay court fees to view filed documents on website. Fact #3, That was the defendants responsibility in intentional malic. The "Charade" in defendant slander against the plaintiff is cause by defendant.

Fact #4, Malic by defendant, after hearing in Superior Court, Stanley Mosk for they're Demurrer heard on May 8, 2018, Case No; BC684574. Judge Linfield Dep. 34, Judge told the defendant to give the plaintiff a copy of the pre-order, as seen in RT. The defendant refused again to oblige the Judge's order in request. The plaintiff made every effort in contact with JREF Attorney Martin, by phone and email requesting a copy. He intentionally refused in an act of behaving malicious, Martin then made a request to plaintiff to respond to pre-order in Court Rule 3.1312 of malic. Is the plaintiff response to pre-order (CTp391-430) without any information from Judge Linfield's pre-order. Again Superior Court doesn't offer free viewing of pages filed. The Plaintiff is Disability, Single 1, No Earned Income, ADA ACT. Violating a disability person from CA Procedural Due Process Civil. Obstructing Justice in plaintiff rights to a fair final order in judgment.

Fact #5, The Superior Court hid the Documents of #1 Default March 21, 2018 from posting. Until April 21, 2018, one month. And completely hid the defendant Motion to Demurrer to Dismiss with Exhibits p.191 from being seen in public courthouse website, the plaintiff didn't even know they were filed in court on March 22, 2018, after the Default was actually filed. Default was filed first. Then came Attorney Martin's Motions. #1 Default has legal authority in due process over the demurrer to dismiss. The defendant doesn't have any sealed records. The order to hide the Motion filed March 22, 2018, is caused by Executive of Superior Court, Stanley Mosk. Restricting the plaintiff of knowing what the defendant filed in exhibits. I found this truth of fact on ~~01/21/2020~~ by calling the civil unit. I was given a return call by courthouse employee on 1/20/2020 on phone call. And a 2d conformation was given to me on 1/21/2020, by another civil unite employee Ms. Lorudres, to of entered a report to court on the issue, CTS Computer Tech Section of not posting to public viewing.

U.S. Default Judgment 55.

ISSUES PRESENTED

1. To extent does the Plaintiff/Appellant have to appear in court for Margaret Morris-Calderon's right to have of Due Process be honored to her? For a fair trial. Or Granting Default. **U.S. Rule 55.(a)(b)(1)(2)**
2. The alternative of honoring the Defendant/Respondent The James Randi educational Foundation after no response in Proof of Summons Served. And not appearing for their late filed Demurrer 5/2/18, 8:30am. And Not responding to court order 8/2/18, Rule 8.130(a)(b) for payment of Transcripts. CRC Rule 8.137(e). The defendant never responded, no payment. The 2d District Court of Appeal is requiring the Plaintiff, a Disability person SSI income, no earned income. To pay for the Transcripts of Defendant Augment of records. And his Appeal costs. The Courts have escalated to an abusive situation towards the Plaintiff without Jurisdiction.

WHY REVIEW SHOULD BE GRANTED

The questions of laws need to be reviewed as presented. Judge Linfield in Dep 34, Demurrer Hearing date refused to address the legal author in civil right presented in ~~file~~ Objection Apr 5, 2018, and Plaintiff's Document Attachment to Civil Complaint of Facts and Findings Apr 5, 2018, with civil codes in support of Contract Breach, And Striking the Defendant Demurrer filed late with civil codes. By criticizing the hand written documents, as to be difficult to read. That was a false statement by Judge Linfield. My documents are legible, and there not hard to follow next to the false accusations the Defendant presented. They have Court documents, and Docket Numbers that identify what was presented to the court by the Defendants Demurrer. I even had complements on them. Judge Linfield made up excusing himself of his responsibility of giving the Plaintiff Due Process. No legal descriptions were being aloud by Plaintiff, violations of Due Proses and 1st Amendment, 14th Amendment. The Appellant is rightful in jurisdiction in Default action against the Defendant at this point. No responses twice, no rescheduling, no good cause ever given. The ongoing of clerk errors is astounding in this case.

Furthermore, The court hid the Defendant Demurrer with a 191 page count filed Apr 22, 2018, from being seen by public view. There's no sealed records in this case. And the Plaintiff is Disability, Single 1, No earned Income, I can't afford to pay to see what documents are filed. And it was just this one. As new information the Plaintiff just found out hidden document Jan 21, 2020. Hidden documents that had pages to support me in evidence of Defendants false accusations. Superior Court Chief Executive request to computer room. Plaintiff filed a Motion to Strike and Dismiss Defendants Augment of Records on Appeal because she didn't know they were filed.

U.S. Titel 28, Code 28, Code 604(a)(1)(2), Chapter 41, Code 602, 606, Violations

REASONS FOR GRANTING THE PETITION

Plaintiff Ms. Margaret Morris-Calderon has made evidence in the 2d District of Appellant Court the errors and malic (CACI No. 1501. Wrongful Use of Civil Proceedings), (California Procedural Due Process Civil CCP-412.20), (Plaintiff Objection Sustained CCP-412.20) in proceeding and past proceedings in the one and only other civil complaint Margaret Morris-Calderon Signed and Served as 2. With evidence in different actions in proceedings to of taken place. As in favor for GRANTING law suit, and DEFAULT in favor of Plaintiff. Of Default's that she had to file twice against Defendant JREF. 1st one is Attachments to Petition for ~~review~~ that occurred by cause of no response to Proof of Summons Served, at Case Management Meeting in Superior Court Stanly Mosk Case No: BC684574, has no clerical errors, or any amendment to interfere with the true Nature of this case Cause of Action Contract-Breach, failed as promised in The James Randi Educational Foundation Downloaded Application of Contract July 2013. To Enter Evidence of Life After Death "Afterlife" to exists through Paranormal Activity on 4 consecutive years of communication with her mother after her death, as seen as exhibits attachments to Civil Complaint filed Nov 27, 2017 as Evidence.

Judge Linfield Ordered Default in March 13, 2018 minute order, as seen in attachment to Petition for ~~review~~, as Default #1.

Following was Defendant nonappearance to their Motion to Demurrer to Dismiss May 2, 2018, 8:30am. Plaintiff rightfully gave Judge Linfield, Dp. 34, 5/2/18, verbal notice of Default in Defendant. James Randi the Head Executor of JREF, ID Founder has been NON-Compliant threw-out everything. And was Never Excused or Dismissed by the Court or me. There was no request for rescheduling by defendant JREF, no good cause was ever given for non-appearance. Order to Object by Plaintiff were filed in Superior Court more than 10 days prior to hearing date. No authority in legal to of continued the hearings to Demurrer and Dismiss to of been given a new date. Made to cause the #2 Default as seen in ~~Appendix~~ exhibits. The Plaintiff/Appellant, has made legal authority in granting Default in her favor of action.

Petitioner requests the ~~Default~~ be granted and that the court Modify the Judgment on Jan 13, 2020. In Honor of actions of Plaintiff's filed Default against The James Randi Educational Foundation on good cause. (JREF) Liable to Honor their "One Million Dollar Challenge" California CC: 1614, CC 3300, CC: 1439, CC: 3287(a)(b)(d), CC: 3392, Business and Professions - CA PC Code: 3388, 3389, 3390(2), 3391(1)(3), 3390(a), 3302. With 3% intrest.

U.S. Rule 55. Default; Default Judgment (a)(b)(1)(2).

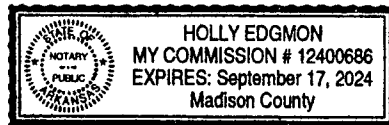
CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Ms. Margaret Morris-Calderson Proper.

Date: June 03, 2020



Holly Edgmon
9/17/2024